

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PAID SEARCH ENGINE TOOLS, LLC, §
§
Plaintiff, § C.A. 2:08-cv-061 (DF/CE)
vs. §
§
GOOGLE, INC. and § Jury Demanded.
MICROSOFT CORPORATION, §
§
Defendants. §

NOTICE OF AGREED SELECTION OF MEDIATOR

Pursuant to the Court's instruction, the parties met and conferred regarding a mediator in this matter. The parties are in agreement and hereby request that Robert Faulkner be appointed as mediator in this matter.

Dated: February 5, 2009

Respectfully submitted,

By: /s/ Elizabeth L. DeRieux
S. Calvin Capshaw
State Bar No. 03783900
Email: ccapshaw@capshawlaw.com
Elizabeth L. DeRieux
State Bar No. 05770585
Email: ederieux@capshawlaw.com
N. Claire Abernathy
State Bar No. 24053063
Email: cherry@capshawlaw.com
Capshaw DeRieux, LLP
1127 Judson Road, Suite 220
Longview, TX 75601
Telephone: (903) 236-9800
Facsimile: (903) 236-8787

Robert M. Parker
State Bar No. 15498000
Email: rmparker@pbatyler.com
Robert Christopher Bunt
State Bar No. 00787165
Email: rcbunt@pbatyler.com
Charles Ainsworth
State Bar No. 00783521
Email: charley@pbatyler.com
Parker, Bunt & Ainsworth, P.C.
100 East Ferguson, Suite 1114
Tyler, Texas 75702
Telephone: (903) 531-3535
Facsimile: (903) 533-9687

J. Robert Chambers
(Admitted *pro hac vice*)
Email: bchambers@whepatent.com
Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
Telephone: (513) 241-2324
Facsimile: (513) 241-5960

Gregory M. Utter
(Admitted *pro hac vice*)
Email: gutter@kmklaw.com
W. Jeffrey Sefton
(Admitted *pro hac vice*)
Email: jsefton@kmklaw.com
Keating, Muething & Klekamp, PLL
One East Fourth Street, Suite 1400
Cincinnati, Ohio 45202
Telephone: (513) 579-6400
Facsimile: (513) 579-6457

Of Counsel:
P. Andrew Blatt
Email: dblatt@whepatent.com
John Paul Davis
Email: jdavis@whepatent.com
Brett A. Schatz
Email: bschatz@whepatent.com
Wood, Heron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
Telephone: (513) 241-2324
Facsimile: (513) 241-5960

**ATTORNEYS FOR PLAINTIFF,
PAID SEARCH ENGINE TOOLS, LLC**

By: /s/Emily C. O'Brien, by permission ELD
Antonio Sistos
Quinn Emanuel Urquhart Oliver & Hedges LLP -
San Francisco
50 California Street
22nd Floor
San Francisco, CA 94111
415/875-6600
Fax: 415/875-6700
E-mail: antoniosistos@quinnmanuel.com

Charles K Verhoeven
Quinn Emanuel Urquhart Oliver & Hedges LLP -
San Francisco
50 California Street
22nd Floor
San Francisco, CA 94111
415/875-6600
Fax: 415/875-6700
Email: charlesverhoeven@quinnmanuel.com

David A Perlson
Quinn Emanuel Urquhart Oliver & Hedges LLP -
San Francisco
50 California Street
22nd Floor
San Francisco, CA 94111
415/875-6600
Fax: 415/875-6700
Email: davidperlson@quinnmanuel.com

Emily C O'Brien
Quinn Emanuel Urquhart Oliver & Hedges LLP -
San Francisco
50 California Street
22nd Floor
San Francisco, CA 94111
415/875-6600
Fax: 415/875-6700
Email: emilyobrien@quinnmanuel.com

Nicholas H Patton
Patton Tidwell & Schroeder, LLP
4605 Texas Blvd
PO Box 5398
Texarkana, TX 75505-5398
903/792-7080
Fax: 19037928233
Email: nickpatton@texarkanalaw.com

**ATTORNEYS FOR DEFENDANT
GOOGLE, INC.**

By: /s/Laura L. Kolb, by permission ELD
David T Pritikin
Sidley Austin - Chicago
Bank One Plaza
One South Dearborn Ave
Chicago, IL 60603
312/853-7000
Fax: 13128537036
Email: dpritikin@sidley.com

Eric Hugh Findlay
Findlay Craft
6760 Old Jacksonville Hwy
Suite 101
Tyler, TX 75703
903/534-1100
Fax: 903/534-1137
Email: efindlay@findlaycraft.com

Laura L Kolb
Sidley Austin - Chicago
Bank One Plaza
One South Dearborn Ave
Chicago, IL 60603
312/853-9983
Fax: 312/853-7036
Email: lkolb@sidley.com

Richard A Cederoth
Sidley Austin - Chicago
One South Dearborn St
Chicago, IL 60603
312/853-7000
Fax: 312/853-7036
Email: rcederoth@sidley.com

Roger Brian Craft
Findlay Craft
6760 Old Jacksonville Hwy
Suite 101
Tyler, TX 75703
903/534-1100
Fax: 903/534-1137
Email: bcraft@findlaycraft.com

**ATTORNEYS FOR DEFENDANT
MICROSOFT CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 5th day of February, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux
Elizabeth L. DeRieux